IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.989 OF 2003
IN
SUMMARY SUIT NO.2800 OF 2002

M/s.Shubhankar Investments
& Finance Co. Ltd. ..Plaintiffs.

Vs.

Steel Tubes of India
Ltd. & Anr. ..Defendants.

Mr.V.N.Kantawala i/b.M/s.Kantawala & Co. for the Plaintiffs.

None for the Defendants.

CORAM: S.J.VAZIFDAR, J.
DATED: 10TH JUNE, 2005

P.C. :

The suit is based on a bill of exchange drawn by Defendant No.1 and accepted by Defendant No.2. Further, Defendant No.1 issued a cheque in favour of the Plaintiffs towards part payment of the amounts due in respect of the said bill of exchange, which was dishonoured. Prior thereto, a cheque in the sum of Rs.15,00,000/- towards part repayment was dishonoured.

2. There is no reply to the demand notice. There is no affidavit in reply. There is no defence to the suit.

3. The Summons for Judgment is therefore made absolute and the suit is decreed as prayed. However, as far as Defendant No.2 is concerned, there was no agreement to pay interest. Thus, as far as Defendant No.2 is concerned, interest shall be only at 18% per annum throughout.

4. Refund as per rules.

All parties to act on an authenticated copy of this order.